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Attorneys for Defendant  
CHASE BANK USA, N.A.

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

**CHERYL BARRER and WALTER  
BARRER**, on Behalf of Themselves and  
Those Similarly Situated,

CV No. 3:06-cv-00415-HA

Plaintiffs,

Defendant Chase Bank USA, N.A.'s

v.

**MOTION FOR SUMMARY JUDGMENT**

**CHASE BANK USA, N.A. and DOES 1**  
through and including 100,

**REQUEST FOR ORAL ARGUMENT**

Defendants.

**LR 7.1 CERTIFICATION OF GOOD-FAITH EFFORT TO RESOLVE DISPUTE**

Defendant Chase Bank USA, N.A. (“Chase”), through its attorneys, certifies that it has conferred with Plaintiffs, through their attorneys, in a good-faith effort to resolve the matters covered by this motion. Such good-faith effort, which included a telephonic discussion with Plaintiffs’ attorneys, was unsuccessful.

**MOTION**

Pursuant to Fed. R. Civ. P. 56(b), Chase moves the Court for summary judgment in its favor and against Plaintiffs on the entirety of Plaintiffs’ Second Amended Complaint. The specific summary judgment grounds concerning Plaintiffs’ claims are set forth in the accompanying memorandum in support, but there are no genuine issues of material fact pertinent to deciding the motion and, therefore, Chase is entitled to judgment in its favor as a matter of law. In support of this motion, Chase relies on the accompanying memorandum in support, Declaration of Noah A. Levine, Declaration of David Hogan, and Declaration of Suzanne Morgan.

DATED: July 16, 2012

By /s/ Noah A. Levine

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